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### **EUROPEAN PATENT APPLICATION**

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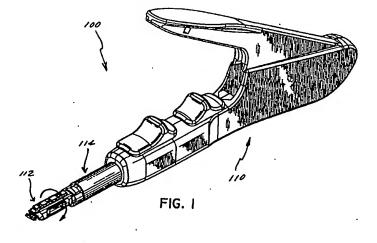
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## (54) Anastomosis instrument

(57) A surgical instrument for performing an anastomosis includes a housing having a proximal end and a distal end; a shaft extending from the housing distal end; and a disposable loading unit configured and dimensioned to retain a plurality of surgical fasteners, the disposable loading unit extending from the shaft and forming a juncture with the shaft, the disposable loading unit including: i) opposed split-sections pivotably connected to facilitate movement of the opposed split-sections between open and closed configurations, the opposed split sections being movable through a firing stroke from a first position to a second position and back

to the first position to form a plurality of surgical fasteners: and ii) a pivot lockout member including a latch portion which extends between the opposed split-sections, the latch portion including a contact surface which interacts with a corresponding surface formed on at least one of the opposed split-sections to retain the opposed split-sections in the closed configuration, wherein upon return of the fastener pusher member to the first position from the second position, the pivot lockout member is displaced relative to the opposed split sections to an unlocked configuration.





# **EUROPEAN SEARCH REPORT**

Application Number EP 99 11 8064

Category	Citation of document with I of relevant pass	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.CI.7)	
D,A	US 5 707 380 A (HIM AL) 13 January 1998 * column 4, line 56 * column 6, line 22 * figures 1,3A,4 *		A61B17/115 A61B17/11 A61B17/128	
P,A	EP 0 885 595 A (UNI CORP) 23 December 1 * the whole documen	1-13		
Α	9 June 1998 (1998-0	SI JR THOMAS W ET AL) 06-09) 26 - line 57; figures	1-3	
A	US 5 443 198 A (VIC 22 August 1995 (199 * column 7, line 7		1,2	
A	US 4 700 703 A (RESNICK SEMION ET AL) 20 October 1987 (1987-10-20) * column 4, line 59 - column 5, line 20; figures 1,3,4 *		1,2	TECHNICAL FIELDS SEARCHED (Int.CI.7)
A	WO 95 35065 A (HEAR 28 December 1995 (1 * abstract; figure	1,2		
A	US 5 403 333 A (KAS 4 April 1995 (1995- * the whole documen		1,2	·
	The present search report has Place of search BERLIN	been drawn up for all claims  Date of completion of the search  1 November 2000	Duc	Examiner reau, F
X : part Y : part doct A : tech	ATEGORY OF CITED DOCUMENTS icularly relevant if taken alone icularly relevant if combined with anotument of the same category inclogical background —written disclosure	T : theory or princ E : earlier patent after the filing her D : document cite L : document cite	lple underlying the in document, but publicate d in the application of for other reasons	nvention

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#### ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO.

EP 99 11 8064

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01-11-2000

Patent document cited in search repo		Publication date		Patent family member(s)	Publication date
US 5707380	A	13-01-1998	AU CA DE DE EP ES JP US	722259 B 2943797 A 2210617 A 69701339 D 69701339 T 0820725 A 2143273 T 10118078 A 6083234 A 6024748 A	27-07-2000 29-01-1998 23-01-1998 06-04-2000 24-08-2000 28-01-1998 01-05-2000 12-05-1998 04-07-2000 15-02-2000
EP 0885595	Α	23-12-1998	US AU CA JP US	6024748 A 7190398 A 2240638 A 11070114 A 6083234 A	15-02-2000 24-12-1998 17-12-1998 16-03-1999 04-07-2000
US 5762256	Α	09-06-1998	AU CA DE DE EP ES JP US	720144 B 6429396 A 2183497 A 69601561 D 69601561 T 0760230 A 2128134 T 9164144 A 6032849 A 5782396 A	25-05-2000 06-03-1997 01-03-1997 01-04-1999 15-07-1999 05-03-1997 01-05-1999 24-06-1997 07-03-2000 21-07-1998
US 5443198	A	22-08-1995	US CA DE DE EP SUSU AU CA DE EP ES JP US	5915616 A 2107848 A 69312417 D 69312417 T 0591999 A 2105036 T 5474223 A 660712 B 2536492 A 2079716 A 69223898 D 69223898 T 0537570 A 2111027 T 5200037 A 5558266 A 5579978 A	29-06-1999 10-04-1994 28-08-1997 18-12-1997 13-04-1994 16-10-1997 12-12-1995 06-07-1995 22-04-1993 19-04-1993 12-02-1998 28-05-1998 21-04-1993 01-03-1998 10-08-1993 24-09-1996

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# ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO.

EP 99 11 8064

This armsx lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

01-11-2000

Patent document cited in search report		Publication date	Patent family member(s)		Publication date	
US	5443198	Α	•	CA	2079756 A	19-04-19
				DE	69217808 D	10-04-19
				DE	69217808 T	24-07-19
				DE	537571 T	14-10-19
				EP	0537571 A	21-04-19
				ES	2041610 T	01-12-19
				US	5509596 A	23-04-19
				US	5706997 A	13-01-19
	4700700					
US 	4700703	A	20-10-1987 	US	4903697 A	27-02-19 
WO	9535065	Α	28-12-1995	AU	696332 B	10-09-19
				AU	2512295 A	15-01-19
				EP	0765137 A	02-04-19
				JP	10507650 T	28-07-19
				ÜS	5947363 A	07-09-19
				US	5709335 A	20-01-19
				US	5732872 A	31-03-19
				US	5957363 A	
						28-09-19
				US	5881943 A	16-03-19
US	5403333	Α	04-04-1995	US	5234447 A	10-08-19
				WO	9504503 A	16-02-19
				AU	4803593 A	28-02-19
				EP	0713373 A	29-05-19
				ŪS	5366462 A	22-11-19
	•					

FORM PO459

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82